

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:07-cr-60

v.

HON. JANET T. NEFF

REGINALD CORNELL NEAL,

Defendant.

MEMORANDUM OPINION AND ORDER

Defendant Reginald Cornell Neal has filed motions for modification or reduction of sentence (Dkts 50, 52) pursuant to 18 U.S.C. § 3582(c)(2) based on the modification of the Drug Quantity Table with respect to cocaine base (crack cocaine).

Section 3582(c)(2) permits a court to reduce the term of imprisonment of a defendant who has been sentenced based on a sentencing range that has subsequently been lowered by the Sentencing Commission. 18 U.S.C. § 3582(c)(2). Amendment 750 of the United States Sentencing Guidelines modified U.S.S.G. § 2D1.1, the Drug Quantity Table with regard to cocaine base (crack cocaine), and U.S.S.G. § 2D2.1(b). These modifications were made retroactive effective November 1, 2011. U.S.S.G. § 1B1.10(c).

The defendant is entitled to a reduction of sentence consistent with the policy statements.

Therefore, IT IS HEREBY ORDERED that Defendant's motions for modification of sentence (Dkts 50, 52) pursuant to 18 U.S.C. § 3582(c)(2) are GRANTED. Defendant's sentence of 30

months on the drug charge (Count 2) is reduced to 24 months. The mandatory 60-month consecutive sentence for Count 3 remains unchanged.

DATED: May 15, 2012

/s/ Janet T. Neff

JANET T. NEFF

United States District Judge